

# FINAL BILL REPORT

## ESHB 1516

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**C 355 L 09**  
Synopsis as Enacted

**Brief Description:** Regarding the recovery of gear used in the coastal Dungeness crab fishery.

**Sponsors:** House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake and Kretz).

**House Committee on Agriculture & Natural Resources**  
**Senate Committee on Natural Resources, Ocean & Recreation**

### **Background:**

#### The Coastal Commercial Dungeness Crab Fishery.

The coastal commercial Dungeness crab fishery (Fishery) has operated in Washington's coastal waters for more than 60 years, with 225 coastal Dungeness crab licenses issued under a limited license program. Of the 225 issued licenses, approximately 200 have been actively fished during recent seasons. At the beginning of each commercial season in December or January, approximately 90,000 crab pots are deployed, and the majority of crabs are harvested in the first four to five months of the nine-month season.

In order to engage in commercial fishing in Washington, an individual is required to have the appropriate commercial fishing license or permit for the particular fishery in question. Currently, it is unlawful for a person to possess or use crab gear belonging to another person. In addition, an owner or operator of commercial shellfish gear is required to mark the gear in order to lawfully leave it unattended in waters of the state.

#### Derelict Gear.

The Washington Department of Fish and Wildlife (WDFW) maintains a database of known derelict fishing gear, including the type of gear and its location. Derelict fishing gear includes lost or abandoned fishing nets, fishing lines, crab pots, shrimp pots, and other commercial and recreational fishing equipment, but does not include lost or abandoned vessels. An individual who loses or abandons commercial fishing gear in waters of the state is encouraged, but not required, to report the location of the loss and type of gear lost to the WDFW within 48 hours of the loss.

### **Summary:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The WDFW is directed to issue a crab pot removal permit as part of a Coastal Commercial Dungeness Crab Pot Removal Program (Program) that allows participants in the Fishery to remove crab pots from coastal marine waters beginning 15 days after the close of the primary harvest season, regardless of whether the crab pot was originally set by the participant or not.

In cooperation with individuals with a current commercial Dungeness crab-coastal license, the WDFW may expand the Program to areas closed to commercial Dungeness crab harvest prior to the end of the primary harvest season.

The unlawful use of a crab pot removal permit is a misdemeanor. Individuals participating in the Program are exempt from applicable lost and found property laws.

In addition, the WDFW may exempt certain crab pots from the Program, restrict crab pot removal activities to specific geographic areas, and adopt rules related to the Program.

**Votes on Final Passage:**

House	95	0	
Senate	49	0	(Senate amended)
House	98	0	(House concurred)

**Effective:** July 26, 2009